REMARKS

[0001] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. The status of the claims is as follows:

- Claims 1-5, 8, 10, 11, 13, 14, 17-21, 24, 26, 27, 29, 30, 33-35 and 37-43 are currently pending

- Claims 1-5, 8, 10-11, 13-14, 17-21, 24, 26-27, 29-30, and 33-34 are amended herein

Claims 1-5, 8, 10-11 and 13-14 Recite Statutory Subject Matter Under § 101

[0002] Claims 1-5, 8, 10-11 and 13-14 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Applicant respectfully traverses this rejection.

[0003] Nevertheless, for the sole purpose of expediting prosecution and without commenting on the propriety of the Office's rejections, Applicant herein amends the claims as shown above. Applicant respectfully submits that these amendments render the § 101 rejection moot.

Claims 17-21, 24, 26-27 and 29-30 Recite Statutory Subject Matter Under § 101

[0004] Claims 17-21, 24, 26-27 and 29-30 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Applicant respectfully traverses this rejection.

[0005] Nevertheless, for the sole purpose of expediting prosecution and without commenting on the propriety of the Office's rejections, Applicant herein amends the claims as shown above. Applicant respectfully submits that these amendments render the § 101 rejection moot.

Claims 33-35 and 37-43 Recite Statutory Subject Matter Under § 101

[0006] Claims 33-35 and 37-43 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Applicant respectfully traverses this rejection.

[0007] Nevertheless, for the sole purpose of expediting prosecution and without commenting on the propriety of the Office's rejections, Applicant herein amends the claims as shown above. Applicant respectfully submits that these amendments render the § 101 rejection moot.

Cited Documents

[0008]   The following documents have been applied to reject one or more claims of the Application:

- Gong: Gong, U.S. Patent No. 6,044,467

- Scheifler: Scheifler et al., U.S. Patent No. 6,389,540 B1

- Lao: Lao et al., U.S. Patent Application Publication No. 2003/0220880 A1

§ 103 Rejections

[0009]   Claims 1-5, 8, 10, 11, 13, 14, 17-21, 24, 26, 27, 29, 30, 33-35 and 37-43 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Gong, Scheifler, and Lao in various combinations. Applicant respectfully traverses these rejection.

Independent Claim 1

[0010]   The Examiner indicates (Action, p. 7-8) the following (in pertinent part) with regard to claim 1:

calculating an intersection of the first and the second permission grant sets to determine whether the access to the protected file is permitted. However, Scheifler teaches the permission objects, protection domain objects, and policy objects described above are used to determine access rights of a thread. According to an implementation consistent with the present invention, such access rights vary over time based on what code the thread is currently executing, and on which executor's behalf the thread is currently executing. The sequence of calls that resulted in execution of the currently executing code of a thread is reflected in the call stack of the thread. Reference to an exemplary call stack shall be made to explain the operation of a security mechanism that enforces access rights in a way that allows the rights to vary over time. **[abstract, 13:26-38 and fig. 6]**. Scheifler further teaches in fig. 6, a call stack 6100 associated with a thread 6200 in which the method 6300-1 of an object 4500-1 calls the method 6300-2 of another object 4500-2 that calls the method 6300-3 of yet another object 4500-3 that calls a check permission method 6400 of an access controller object 6500 **[13:39-44 and fig. 6**; 6300-1 calls 6300-2 that calls 6300-3 that calls a check permission method 6400 of an access controller object 6500 equate calling the second code assembly by the first code assembly; calling the third code assembly by the second code assembly, the third code assembly attempting access of a protected file (also see 13:45 – 15:28 for details)]. Gong and Scheifler are analogous art because both teach stack based access control.

[0011]   The cited reference, and specifically, Scheifler, does not describe each and every recital of claim 1 which is copied below (in pertinent part) with emphasis added:

> calling the second code assembly by the first code assembly;
> calling the third code assembly by the second code assembly, ***the third code assembly attempting access of a protected file***; and

calculating an intersection of the first and the second permission grant sets to determine whether the access to the protected file is permitted.

[0012]   Scheifler describes at column 13, lines 26-44:

> The permission objects, protection domain objects, and policy objects described above are used to determine access rights of a thread. According to an implementation consistent with the present invention, such access rights vary over time based on what code the thread is currently executing, and on which executor's behalf the thread is currently executing. The sequence of calls that resulted in execution of the currently executing code of a thread is reflected in the call stack of the thread. Reference to an exemplary call stack shall be made to explain the operation of a security mechanism that enforces access rights in a way that allows the rights to vary over time.
>
> FIG. 6 is a block diagram that includes a call stack **6100** associated with a thread **6200** in which the method **6300-1** of an object **4500-1** calls the method **6300-2** of another object **4500-2** that calls the method **6300-3** of yet another object **4500-3** that calls a check permission method **6400** of an access controller object **6500**.

[0013]   Thus, the cited document of Scheifler merely describes a call stack in which a first method of a first object calls a second method of a second object that calls a third method of a third object that calls a check permission method. See column 13, lines 38-44. However, claim 1 of the present invention recites that a first code assembly calls a second code assembly, the second code assembly calls a third code assembly, with an intersection of first and second permission grant sets of the first and second code assemblies determining if the third code assembly is permitted access of a protected file. Scheifler has no mention of calculating any intersections to determine if any object has permission to access a protected file, much less that an intersection of two

permission sets determines if a third code assembly has access to a protected file, as recited in claim 1 of the present application. Furthermore, the remaining cited art does not overcome the deficiencies of Scheifler. As shown above, the cited art, alone or in combination, does not teach or suggest all of the elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

Remaining Pending Claims

[0014] In addition to their own merits, dependent claims 2-5, 8, 10-11, and 13-14 are allowable for at least the same reasons that independent claim 1 is allowable. Applicant therefore requests that the Examiner withdraw the rejection of dependent claims 2-5, 8, 10-11, and 13-14.

[0015] Further, Applicant respectfully contends that the arguments set forth above with respect to independent claim 1, as amended, applies with equal weight to independent claims 17 and 33 and the cited art does not disclose all of the claimed elements and features of independent claims 17 and 33. Accordingly, Applicant asks the Examiner to withdraw the rejection of these claims. Further, dependent claims 18-21, 24, 26-27, 29-30, 34-35, and 37-43 are allowable for at least the same reasons as the independent claims from which they depend are allowable. Applicant requests that the Examiner withdraw the rejection of dependent claims 18-21, 24, 26-27, 29-30, 34-35, and 37-43.

Conclusion

[0016] Applicant submits that all pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application.

If any issues remain that prevent issuance of this application, the Examiner is urged to contact the undersigned representative for the Applicant before issuing a subsequent Action.

Respectfully Submitted,

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